

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker
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October 28, 2021

Louise Miller
Town Administrator
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

RE: Revocation of Groundwater Discharge Permit No. 999-0
Town of Wayland Wastewater Treatment Plant, 185 Elissa Avenue, Wayland, MA 01778
Soil Absorption System at 490 Boston Post Road, Wayland, 01778
MassDEP Transmittal No. X287379

Dear Ms. Miller:

The Massachusetts Clean Waters Act (M.G.L. c.21, s.26-53) was amended by Chapter 246 of the Acts of 1973 to authorize the Massachusetts Department of Environmental Protection (MassDEP), to regulate discharges into all waters of the Commonwealth, including groundwaters. MassDEP regulates discharges through the issuance of discharge permits, which impose limitations on the amount of pollutants that may be discharged in the effluent, together with monitoring and reporting requirements and other conditions to insure adequate treatment of all liquid wastes prior to discharge.

An application for a MassDEP Groundwater Discharge Permit was submitted by the **Town of Wayland** on February 12, 2021, for a proposed discharge of treated wastewater to a soil absorption system to be located at 490 Boston Post Road in Wayland. Following review of the application, MassDEP issued Draft Groundwater Permit No. 999-0 to the Town on July 21, 2021, along with instructions on carrying out the required public notice and comment procedures as are required by 314 CMR 2.06. The Public Notice initiating the public comment period appeared in the Environmental Monitor on August 25, 2021. The Draft Permit and Fact Sheet were also posted to MassDEP's website.

Following the public notice and comment period, MassDEP issued Groundwater Discharge Permit No. 999-0 to the Town of Wayland on October 4, 2021. Following that issuance, MassDEP

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

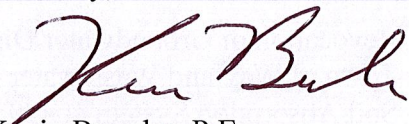
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was advised that public comments were submitted on the Draft Permit during the public comment period, not through the method prescribed in the Public Notice, but rather as directed on MassDEP's website. Unfortunately, these comments were not properly disseminated and the final permit was issued without consideration of the comments submitted. After reviewing the information provided, MassDEP considers the comments to be timely submitted on Draft Permit 999-0.

Since the Permit No. 999-0 was issued without consideration of public comments submitted, MassDEP intends to take action to revoke Permit No. 999-0. The Statement of Reasons for revocation of Permit No. 999-0 is attached. In accordance with the provisions of 314 CMR 2.10, 314 CMR 2.05, and 314 CMR 2.06, MassDEP intends to publish the attached public notice in the Environmental Monitor to initiate the required public notice and comment period for this proposed action. Following receipt of comments and public hearing, if held, the MassDEP will issue its final determination on the revocation of Permit No. 999-0.

If you have any questions on any of the information discussed in this letter, please contact me at (978) 694-3236 or via email at Kevin.Brande@mass.gov.

Sincerely,



Kevin Brander, P.E.
Section Chief
Wastewater Management Section
Bureau of Water Resources

KB/JN/TL
Enclosures

cc: *via email*

- Michael Gitten, Chair, Wayland Wastewater Management District Commission
- Julia Junghanns, Town of Wayland BOH
- Richard Pezzolesi, Town Operations Manager
- Tom Holder, Town of Wayland, DPW Director
- DEP/BWR/Wastewater Management Program/Boston
- Julianne Ture/ DEP/ Boston
- Anette Lewis, 33 Claypit Hill Road, Wayland, MA 01778

Individual Groundwater Discharge Permit No. 999-0

Town of Wayland

Statement of Reasons

Permit Revocation

I. APPLICANT, FACILITY INFORMATION, and DISCHARGE LOCATION

Name and Address of Applicant:

Louise Miller, Town Administrator
Town of Wayland
41 Cochituate Road, Wayland, MA 01778

Treatment Works located at

Wayland Wastewater Treatment Plant
185 Elissa Avenue, Wayland, MA 01778

Name and Address of Facility where discharge is proposed:

Soil Absorption System
490 Boston Post Road, Wayland, MA 01778

II. MASSDEP GROUNDWATER DISCHARGE PERMIT NO. 999-0 ISSUANCE

Permit application filed February 12, 2021

Draft permit issued by MassDEP on July 21, 2021

Public Notice published in Environmental Monitor on August 25, 2021

Final Permit issued October 4, 2021

III. REASONS FOR REVOCATION OF PERMIT NO. 999-0:

MassDEP is proposing to revoke Groundwater Permit No. 999-0 since public comments were transmitted on a timely basis to MassDEP, but which were not reviewed or considered in issuance of the Final Permit.

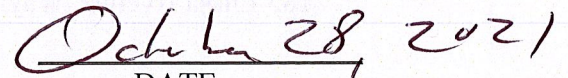
IV. COMMENT PERIOD, HEARING REQUESTS, AND PROCEDURES FOR FINAL DECISIONS

The public comment period for this proposed permit revocation is thirty (30) days following public notice in *The Environmental Monitor*. A final decision on the revocation of this permit will be made after the public notice period, and review of any comments received during this period.

V. STATE CONTACT INFORMATION

Additional information concerning MassDEP's proposed action to revoke Permit No. 999-0 may be obtained by contacting MassDEP at (978) 694-3236, or by emailing Kevin.Brander@mass.gov, noting the information being requested.

Kevin Brander, P.E.
Section Chief
Wastewater Management Section


DATE

PUBLIC NOTICE
MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER RESOURCES/WASTEWATER MANAGEMENT PROGRAM
205B LOWELL STREET, WILMINGTON, MA 01887
TEL#: (978) 694-3200

Notice is hereby given that MassDEP is proposing to revoke MassDEP Groundwater Discharge Permit No. 999-0, issued to the Town of Wayland on October 4, 2021, pursuant to Section 43 of Chapter 21 of the General Laws, and 314 CMR 5.00 and 2.10. Additional information on the Permittee, Permit, and opportunity to submit public comments follows:

CITY/TOWN:	Town of Wayland
PROJECT NAME:	Wayland Wastewater Treatment Plant
APPLICANT:	Town of Wayland
FACILITY LOCATION:	Discharge from: Wayland Wastewater Treatment Plant 185 Elissa Avenue, Wayland, MA 01778 Discharge to: Soil Absorption System 490 Boston Post Road, Wayland, MA 01778
TYPE OF DISCHARGE:	Groundwater
QUANTITY OF DISCHARGE:	37,380 Gallons per day (GPD)
PERMIT NO:	999-0
TRANSMITTAL NO:	X287379
PROPOSED ACTION:	Tentative determination to revoke Permit

A copy of the application, draft permit, final permit, and statement of basis or fact sheet or other records related to Permit No. 999-0 may be obtained from the MassDEP's Wastewater Management Program at the above address and telephone number.

Comments on the proposed action or requests for a public hearing thereon pursuant to 314 CMR 2.07 must be filed with MassDEP at the above address within thirty (30) days of this notice. For information on the process for formally intervening in adjudicatory proceedings, please refer to 310 CMR 1.00: Adjudicatory Proceedings, Section (7) Intervention and Participation.

<http://www.mass.gov/eea/agencies/massdep/water/regulations/310-cmr-1-00-adjudicatory-proceedings.html>

Kevin Brander, P.E.
Section Chief, BWR/WPC

